

REMARKS/ARGUMENTS

Claims 1, 3-7, 9-14, and 16-18 are pending in this application. Claims 2 and 15 have been cancelled without prejudice or disclaimer. Claim 1 has been amended with claim 2, with the elimination of a nitrile as R, and claim 2 has been cancelled without prejudice or disclaimer. Claim 14 has been amended to not include the nitrile, and claim 15 has been cancelled without prejudice or disclaimer. Claims 9 and 10 have been amended to correct their dependencies in view of the cancellation of claim 2. Claim 8 was previously cancelled. These amendments are supported by the claims and specification, as originally filed. No new matter has been added.

Applicant wishes to thank the Examiner for indicating that claims 4-6 and 16-18 are allowable. Applicant agrees that the prior art of record does not describe or suggest the claimed polyamide.

Reconsideration of the application is requested in view of the remarks below.

Claim Rejections

The rejection of claims 1-3 and 9-15 are rejected under 35 U.S.C. §§ 102/103 as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Hayes et al. (U.S. Patent No. 6,075,117) as evidenced by Fischer et al. (U.S. Patent No. 6,359,178), and the rejection of claim 7 under 35 U.S.C. § 103(a) as obvious over Hayes et al. in combination with Ogo (U.S. Patent No. 6,117,942) as evidenced by Fischer et al. is respectfully traversed and obviated by amendment.

As indicated by the Office in the present Office Action, Hayes et al. describes making nylon (a polyamide) by a process involving the hydrolysis of a dinitrile (adiponitrile) using a dicarboxylic acid catalyst (adipic acid) followed by addition of a diamine (e.g., hexamethylenediamine) to form the nylon (abstract). The Office then notes that adiponitrile may contain 1-amino-2-cyanocyclopentene based on Fischer et al. which describes that adiponitrile may contain up to 5000 ppm of 1-amino-2-cyanocyclopentene. The Office then concludes that use of such adiponitrile in the production of nylon would inherently give the claimed polyamide where R is nitrile.

However, as described above, claim 1 has been amended with claim 2, with the elimination of a nitrile as R, which is not described or suggested by the references. In addition, claim 14 has been amended to not include the nitrile, and claim 15 has been canceled.

Therefore, the claimed invention is not anticipated or unobvious in view of the references for the foregoing these reasons. Accordingly, withdrawal of the rejections is requested.

Applicant believes that no additional fee, including the RCE fee, is due with this response. However, if an additional fee is due, please charge our Deposit Account No. 22-0185, under Order No. 12810-00162-US1 from which the undersigned is authorized to draw.

Dated: October 14, 2008

Respectfully submitted,

Electronic signature: /Bryant L. Young/
Bryant L. Young
Registration No.: 49,073
CONNOLLY BOVE LODGE & HUTZ LLP
1875 Eye Street, NW
Suite 1100
Washington, DC 20006
(202) 331-7111
(202) 293-6229 (Fax)
Attorney for Applicant